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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kent Kuohua Chang EFS ID: 13271
Filing Date: 12/14/2001 Application No.: 09683324
Attorney Docket No.: MXIP0085USA

Title: METHOD OF FABRICATING A MOS TRANSISTOR WITH LOW GATE DEPLETION

To: Box DAC
Assistant Commissioner of Patents
Washington, D.C. 20231

Subject: Petition under 37 CFR 1.182

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MAR 07 2002

OFFICE OF PETITIONS

Dear Sir or Madame:

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TECHNICAL STAFF 2800

The following is a petition under 37 CFR 1.182 for situations not accounted for in the rules. Specifically, the present petition regards an incorrectly filed application under the new Electronic Filing System (EFS) implemented by the USPTO. The applicant is unaware of any rules that deal specifically with the following situation.

On Dec. 14, 2001, the applicant filed the above-identified application, including authorization to charge requisite application fees thereof, by way of the USPTO's new EFS. A copy of the acknowledgement receipt that concluded this application process is included for reference. Unfortunately, as with any new system, unfamiliarity with the process lead to a mistake. In particular, though the title of the application is correct ("METHOD OF FABRICATING A MOS TRANSISTOR WITH LOW GATE DEPLETION"), everything else submitted is wrong. That is, the specification, including the claims, the written description and the drawings, is incorrect. Consequently, the declaration is also incorrect.

This is made more obvious by the fact that the correct title of the invention, as supplied to the EFS, is not in accordance with the actual title used in the written description, and referenced in the declaration.

This was the result of a simple clerical mistake that occurred without any deceptive intent. Simply put, in an unfortunate accident, computer files relating to the same inventor became swapped in the application process. Generally, under the old filing process, procedures were in place that would normally detect and correct such a situation. Under the new EFS, though, such procedures were short-circuited.

The applicant respectfully wishes to correct this mistake without undergoing the additional financial burden of submitting a new application with the requisite fees. The applicant proposes to supply the proper specification and declaration in place of the improper specification and declaration submitted during the EFS process, and thus keep the current application number. In turn, the filing date for the current, above-noted application number should be adjusted to reflect the date upon which the proper specification, in accordance with 35 U.S.C. 112, is received.

The proper specification, including the written description, claim and drawings, is included herein to replace that previously submitted with the EFS. An oath making reference to the included specification is also submitted herein. Note that the claims paid for in the incorrect submission (17 total, with two independent) match those in the correct submission included herein, and so no additional fees are required in this regard.

Additionally, as a new patent assignment is required, a new assignment document is included herein to replace that erroneously submitted with the EFS. Please charge any assignment fees required to perform this correction to deposit account 500801.

Sincerely yours,

Winston Hsu

Date: 12/10/2001

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